

barbells, the user employs both hands which grasp the larger handle 36. In either case the hands engage the handle not the members 32 and 33. The notion of using the members 32 and 33 is not found in Bosko. The derivation of such a notion can only be found in the present application. Moreover, in a barbell application, the weight of the barbell would be of such a magnitude that the user could not grasp it at the members 32 and 33, especially when weight is added to the members 32 and 33.

The examiner's statement of the rejection is conclusory, and conclusory statements do not address the factual inquiry that must be made in a legitimate holding of obviousness under 35 USC 103. If the present invention is to be unpatentable under 35 USC 103 over Bosko, then somewhere in Bosko, there must lie a teaching of "the diameter of which is adapted to the plam of the hand of a training person" and "the total length of the training apparatus is approximately in the range of the length of the shoulder span of the person using it," which are both recited in claim 12. It is respectfully submitted that there is none, and as noted in *In re Rouffet*, cited in the REQUEST FOR RECONSIDERATION filed February 7, 2001, such a teaching is essential.

In the enclosure to the PRELIMINARY RESPONSE filed with the CPA on July 9, 2001, applicant presented documentation attesting to the versatility of the inventive training device known as the IDOGO. Take, for example the testimony of Michael Zeller, head of the physiological department of the sport clinic in Stuttgart Bad Cannstatt, Germany reproduced below.

IDOGO in the rehabilitation

Micheal Zeller, head of the physiological department at the sport clinic in Stuttgart Bad Cannstatt describes the efficiency of IDOGO as excercise medium in single and group therapeutic usage.

*Training of tactile stimulation of the palms
(Mechanoreceptories)*

Improving the motional coordination

Correction / schooling of evasion and movements

Stabilizing and straighten of muscles groups in the area of trunk and spine

Deepening of breathing

For some time we use the IDOGO-stick in our rehabilitation centre especially in the treatment of injuries and after operations in the shoulder zone

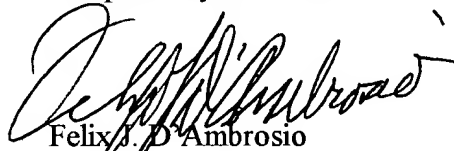
Also in the treatment of patients having problems with their back and/or posture there are various possibilities of usa,

One would not use bumbbells or barbells in such an effort as mentioned by Mr. Zeller, but that is what the examiner is suggesting in applying Bosko.

In conjunction with the noted enclosures, the examiner has been given three (3) videos which also attest to the uniqueness of the present invention.

The examiner has been advised that declarations are being prepared by individuals that will attest to the benefits they have enjoyed with the inventive exercise device. These declarations will provide the record with testimonial evidence of the commercial success of the invention. The declarations will be filed shortly.

Respectfully submitted


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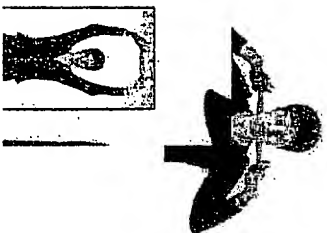
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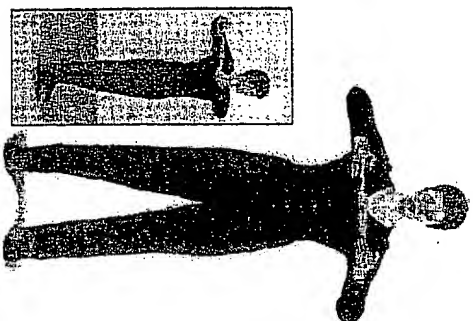


Exercise 1

Stand shoulder wide

if you can practice
one exercise, because
don't have enough time,
the adequate time for
one.
at each exercise 6
ise every movement
y and intensive

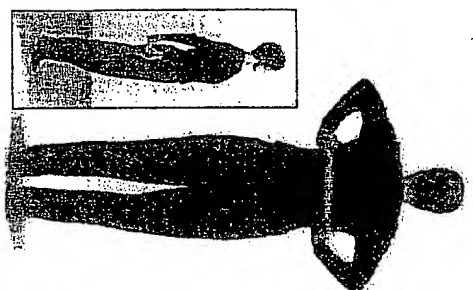
Take the IDOGO with both
hands - between thumb and
forefinger -, being turned
outward, move the arms
forward up over the head,
lower your elbows to bring
the IDOGO behind the head
Move the IDOGO upward
over the head again



Exercise 2

Stand shoulder wide

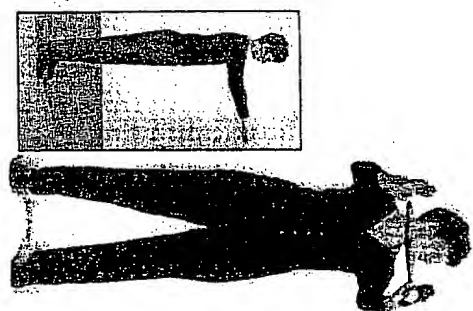
During this exercise you're
always looking straight forward!
Hold the IDOGO in your hands
with rounded arms in the height
of your shoulders. Now swing
slowly to the right and return to
the starting position. Now you
swing slowly to the left and
return to the starting position.



Exercise 3

Stand with closed feet

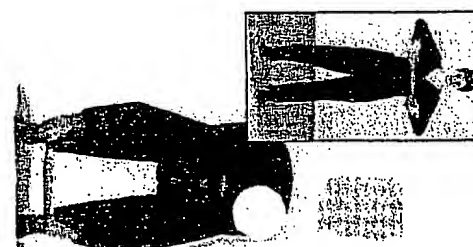
Standing on flat feet, you move
the IDOGO upward near your
back as far as possible.
Now turn the IDOGO, push
downward by standing on your
toes.
Turn the IDOGO again and pull
it upward near your back
again, by standing on your flat
feet again.



Exercise 4

Stand shoulder wide

Raise the IDOGO with both
hands close to your shoulder.
Now turn the IDOGO outward
and push it forward with both
arms by turning your head to
the right as far as possible
(looking over your shoulder).
Turn the IDOGO forward, pull
it toward your shoulders and
repeat the movement to the left
side



Exercise 5

Stand shoulder wide

During this exercise
standing with straight
legs. Holding the IDOGO
between your hands
close to you, push it down
your breast. Then
back to push it down
to your body and
legs.
Then turn the IDOGO
move it upward against
your body and along
to the starting position

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Jogging and Walking with IDOGO

Jogging/Walking IDOGO is just easily held with both hands like raw eggs not to be pressed, pushed or to be touched too much.

During jogging/walking the IDOGO-stick moves rhythmically in front of the body. Through the economic coordination of the arms' motion a deeper and more relaxing breathing is achieved reducing thus the strain for the body during jogging/walking.

With IDOGO you'll never be out of breath

Olympic participant for medium distance race Joachim Dehmel advances as follows about the positive effects of IDOGO with running.

- *Unconventional, running movements controlled by the stick*
- *Internal calm*
- During training:*
 - *Strengthening and stretching exercises becomes more effective*
 - *Running training becomes more intensive*
 - *As IDOGO is used as supporting element more stability of the whole system*
 - *Loose and relaxed feeling*
 - *Movements of arms and shoulders being controlled and harmonic*
 - *Relaxed breathing*

IDOGO-exercises can be executed by young and old

The principle of the IDOGO-system is to gain energy by optimized breathing, resulting in a self-bearing and relaxed posture and way of movement.

The IDOGO-System has an positive effect on efficiency ,among others cause the coordination of motion in the area of breast and shoulders and therefor also the motion of the breathing muscles is improved.

Through the coordinated movements of the arms the blood vessels are opened and the working muscles are provided with oxygen

For this reasons the practiser does not get tired all too soon and is able to execute his training more effective and focused. The IDOGO-system can be integrated easily into different western training methods. Physiological exercises, fitness trainings, jogging, gymnastics, dancing relaxing exercises, competitive training there are no limits in the application areas. Through the way of effects of the IDOGO-training efficiency is almost in every areas improved. In this context IDOGO can be executed as additional method integrated in an existing training as well as an independent exercise IDOGO Tai Chi or as IDOGO

Chi Kung

Only 5 Minutes ...

All IDOGO-exercises on the poster relaxes the muscles at your daily work, at home or on the journey.

Every exercise can be executed on one's standing as well as seated.